

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the application of: Stuart Levy and Mark Nelson

Serial No. 09/234,847

Filed: January 22, 1999

For: Pharmaceutically Active Compounds and Methods
of Use Thereof

Attorney Docket No.: PKZ-013CPCPA
(formerly GAZ-013CPCPA)

Group Art Unit: 1616

Examiner: B. Badio

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MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 20, 2002 of the Primary Examiner finally rejecting claims 1, 7, 29 and 52.

Applicants' agent authorizes payment of \$160.00 based on small entity from Deposit Account 12-0080 to cover the Appeal Fee. If for any reason the fee is insufficient, please charge the balance to Deposit Account 12-0080 of the undersigned attorneys. A duplicate of this sheet is enclosed.

Certification Under (37) CFR 1.10

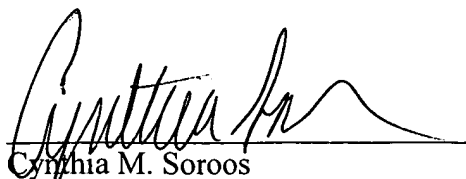
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Date of Deposit: June 20, 2003

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Address" service under 37 CFR 1.10 and addressed to MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Cynthia M. Soroos

Respectfully submitted,
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Dated: June 20, 2003

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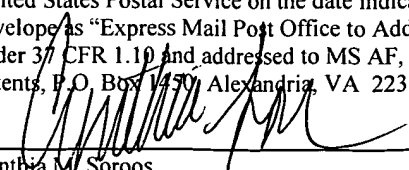
Re: U.S. Patent Application Serial No. 09/234,847
Title: *Pharmaceutically Active Compounds and Methods of Use Thereof*
Filed: January 22, 1999 (CPA filed March 4, 2002)
Inventor: Stuart B. Levy *et al.*
Attorney Docket No. PKZ-013CPCPA (formerly GAZ-013CPCPA)

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Notice of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences (1 page);
2. Request for Three-Month Extension of Time (1 page); and
3. An acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

<p><u>Certification Under (37) CFR 1.10</u></p> <p>Mailing Label No.: <u>EV 355 386 057 US</u></p> <p>Date of Deposit: <u>June 20, 2003</u></p> <p>I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Address" service under 37 CFR 1.10 and addressed to MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p> Cynthia M. Soroos</p>

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